

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 450, As Amended in the Senate

BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

1 RELATING TO ALCOHOLIC BEVERAGES; AMENDING SECTION 23-940, IDAHO CODE, TO
2 CREATE THE ALCOHOL BEVERAGE CONTROL FUND, TO PROVIDE MONEYS FOR THE
3 ALCOHOL BEVERAGE CONTROL FUND, TO PROVIDE THAT EXPENDITURES FROM SUCH
4 FUND SHALL BE SUBJECT TO LEGISLATIVE APPROPRIATION, TO PROVIDE FOR THE
5 TRANSFER OF CERTAIN EXCESS MONEYS TO THE GENERAL FUND AND TO SPECIFY
6 THAT OTHER CERTAIN MONEYS SHALL BE DEPOSITED IN THE GENERAL FUND; AMEND-
7 ING CHAPTER 10, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION
8 23-1025, IDAHO CODE, TO PROVIDE THAT CERTAIN MONEYS COLLECTED BY THE
9 DIRECTOR OF THE IDAHO STATE POLICE SHALL BE DEPOSITED IN THE ALCOHOL
10 BEVERAGE CONTROL FUND AND OTHER CERTAIN MONEYS SHALL BE DEPOSITED IN
11 THE GENERAL FUND; AND AMENDING CHAPTER 13, TITLE 23, IDAHO CODE, BY THE
12 ADDITION OF A NEW SECTION 23-1324, IDAHO CODE, TO PROVIDE THAT CERTAIN
13 MONEYS COLLECTED BY THE DIRECTOR OF THE IDAHO STATE POLICE SHALL BE DE-
14 POSITED IN THE ALCOHOL BEVERAGE CONTROL FUND AND OTHER CERTAIN MONEYS
15 SHALL BE DEPOSITED IN THE GENERAL FUND.
16

17 Be It Enacted by the Legislature of the State of Idaho:

18 SECTION 1. That Section 23-940, Idaho Code, be, and the same is hereby
19 amended to read as follows:

20 23-940. ~~DISPOSITION OF FUNDS~~ ALCOHOL BEVERAGE CONTROL FUND. (1) There
21 is hereby created in the state treasury the alcohol beverage control fund.
22 All moneys from license and transfer fees that are collected by the director
23 under this act pursuant to the provisions of this chapter shall be paid over
24 to the state treasurer and placed to the credit of the general for deposit in
25 the alcohol beverage control fund. Expenditures of moneys in the fund shall
26 be subject to legislative appropriation for the use of the Idaho state po-
27 lice alcohol beverage control bureau in carrying out the provisions of title
28 23, Idaho Code, and the rules promulgated by the director thereunder. At the
29 beginning of each fiscal year, those moneys in the alcohol beverage control
30 fund that exceed two hundred percent (200%) of that fiscal year appropria-
31 tion, as certified by the state treasurer, shall be transferred to the gen-
32 eral fund.

33 (2) All other moneys collected by the director pursuant to the provi-
34 sions of this chapter shall be paid over to the state treasurer for deposit in
35 the general fund.

36 SECTION 2. That Chapter 10, Title 23, Idaho Code, be, and the same is
37 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
38 ignated as Section 23-1025, Idaho Code, and to read as follows:

39 23-1025. LICENSE AND TRANSFER FEES -- ALCOHOL BEVERAGE CONTROL
40 FUND. All moneys from license and transfer fees that are collected by the

1 director pursuant to the provisions of this chapter shall be paid over to
2 the state treasurer for deposit in the alcohol beverage control fund created
3 in section 23-940, Idaho Code. All other moneys collected by the director
4 pursuant to the provisions of this chapter shall be paid over to the state
5 treasurer for deposit in the general fund.

6 SECTION 3. That Chapter 13, Title 23, Idaho Code, be, and the same is
7 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
8 ignated as Section 23-1324, Idaho Code, and to read as follows:

9 23-1324. LICENSE AND TRANSFER FEES -- ALCOHOL BEVERAGE CONTROL
10 FUND. All moneys from license and transfer fees that are collected by the
11 director pursuant to the provisions of this chapter shall be paid over to
12 the state treasurer for deposit in the alcohol beverage control fund created
13 in section 23-940, Idaho Code. All other moneys collected by the director
14 pursuant to the provisions of this chapter shall be paid over to the state
15 treasurer for deposit in the general fund.